

REMARKS

In response to the Office Action dated August 26, 2005, Applicant respectfully requests reconsideration based on the above claim amendment and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Previously Claims 9 and 11-34 were pending in the application. Claims 9, 16-18, 20, 22, 24, 29, and 32 have been amended, leaving Claims 9 and 11-34 for consideration upon the entry of the amendments. Page 10, lines 1-5, Page 10, lines 13-24, or Page 11, lines 1-8 of the specification discuss the amended features. No new matter has been added by the amendments.

Claim Rejections under 35 U.S.C. 112

Claims 9 and 11-34 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In each of Claims 9, 16, 24, 29, and 32, the limitation "an entire of the container" has been amended to recite the limitation "the entire container".

In Claim 16, the limitation "the cover which covers the opening port and is unified with the door of the loader in the low cleanliness room" has been amended to recite the limitation "the cover which covers the opening port, wherein the door of the movable stage and the cover are unified in the low cleanliness room".

In Claim 17, the limitation "the cover of the container, unified with the door of the loader within the loader, moves vertically" has been amended to recite the limitation "the cover of the container moves vertically".

The limitation "the opening portion", in line 12, Claim 24, recites the limitation "an opening portion" in line 11, Claim 24. Therefore, applicant respectfully submits the limitation "the opening portion" in line 12, Claim 24 has antecedent basis.

Claim Rejections under 35 U.S.C. 102

Claims 16-17 and 19-21 stand rejected under 35 U.S.C. 102(a) and (e) as being anticipated by Muka et al., U.S. Patent No. 5,613,821 (hereinafter "Muka"). Applicant respectfully traverses the rejections.

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To anticipate a claim under 35 U.S.C. ' 102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), *cert. denied*, 484 U.S. 1007 (1988). Muka however, fails to disclose all of the elements of Claim 16.

Claim 16 recites a container for receiving and transporting a dust free article therein and to be mounted on a movable stage horizontally movable relative to a wall that separates a low cleanliness room from a high cleanliness room in such a manner that an entire container remains in the low cleanliness room, and a cover to be removed from a main body of the container is positioned to face the high cleanliness room having a higher pressure than the low cleanliness room, wherein the movable stage comprises an opening portion disposed in the low cleanliness room in a border location between the high cleanliness room and the low cleanliness room and a door for opening and closing the opening portion with a gap provided all around the door through which air flows out from the high cleanliness room to the lower cleanliness room to prevent dust flowing into the high cleanliness room; and wherein the container comprises: an opening port through which the dust free article is transported between an inside of the container and the high cleanliness room; the cover which covers the opening port, wherein the door of the movable stage and the cover are unified in the low cleanliness room, and the cover and the door are adapted to move together within the movable stage to open and close the opening portion; and a fixing means for fixing the cover to the opening port when the dust free article is enclosed in the container for transportation.

The claimed invention is made to meet FOUP (Front Opening Unified Pad) standard, and thus all of the elements of the container are placed in a low cleanliness room (See Page 3, lines 12-24 of the specification). In contrast, the system of Muka is SMIF (Standard Mechanical Interface) system (See Cols. 2-3 of Muka). Therefore, the container of Claim 16 is different from the system of Muka.

Further, Col. 3, lines 11-12 of Muka teaches that the carrier is supported adjacent a load lock chamber also having a particle free environment. The load lock port 78 is in the load lock chamber 76. Therefore, the load lock port 78 is in a particle free environment. Accordingly, Muka fails to disclose the element "opening portion disposed in the low cleanliness room", as recited in Claim 16.

Col. 3, lines 21-23 of Muka teach that an isolation housing or mini-environment sealingly isolates the load lock chamber and the interior of the carrier from the surrounding atmosphere. Col. 3, lines 34-36 of Muka also teaches that the invention serves to interface a wafer carrier directly to a load lock while maintaining the clean environment of the substrate carrier. Therefore, the load lock door 80 and the carrier door 42 are unified in a clean environment. Accordingly, Muka fails to disclose the element "the door of the movable stage and the cover are unified in the low cleanliness room", as recited in Claim 16.

Col. 5, lines 55-59 of Muka teach that the carrier is brought, ..., a platform 60 which is a part of the mini-environment 58 and projects in a direction away from the processing system 20. Therefore, the platform 60 moves vertically. Accordingly, Muka fails to disclose the element "a movable stage horizontally movable relative to a wall that separates a low cleanliness room from a high cleanliness room in such a manner that an entire container remains in the low cleanliness room", as recited in Claim 16.

Since it fails to disclose all of the elements of Claim 16, Muka neither anticipates nor renders Claim 16 obvious. Claims 17 and 19-21 depend from Claim 16, and thus are believed to be allowable due to their dependency.

Claim Rejections under 35 U.S.C. 103

Claims 22-23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Muka. Applicant respectfully traverses the rejections.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970).

As stated above, Muka fails to teach or suggest all elements of Claim 16, from which Claims 22-23 depend. Therefore, Claim 16 is patentable over Muka, and its dependent Claims 22-23 are allowable due to their dependency.

Claim 18 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Muka in view of Bonora et al., U.S. Patent No. 5,895,191 (hereinafter "Bonora"). Applicant respectfully traverses the rejections.

As stated in the amendments submitted April 21, 2005, Bonora fails to teach or suggest the elements "a movable stage horizontally movable relative to a wall that separates a low cleanliness room from a high cleanliness room in such a manner that an entire container remains in the low cleanliness room", as recited in Claim 16. Bonora further fails to teach or suggest the elements "opening portion disposed in the low cleanliness room; the door of the movable stage and the cover are unified in the low cleanliness room", as recited in Claim 16. Therefore, even if Bonora is combined with Muka, the combination does not render Claim 16 obvious because it fails to teach or suggest all elements of Claim 16. Claim 18 depends from Claim 16, and thus is believed to be allowable due to its dependency.

Claims 16-17, 19-23, 29, and 31 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Muka in view of Briner et al., U.S. Patent No. 5,810,537 (hereinafter "Briner"). Applicant respectfully traverse the rejections.

As stated in the amendments submitted April 21, 2005, Briner fails to teach or suggest the elements "a movable stage horizontally movable relative to a wall that separates a low cleanliness room from a high cleanliness room in such a manner that an entire container remains in the low cleanliness room", as recited in Claim 16. Briner further fails to teach or suggest the elements "opening portion disposed in the low cleanliness room; the door of the movable stage and the cover are unified in the low cleanliness room", as recited in Claim 16. Also, the system of Briner is SMIF type system (See Col. 2 of Briner). Therefore, even if Briner is combined with Muka, the combination does not render Claim 16 obvious because it fails to teach or suggest all elements of Claim 16. Claims 17 and 19-23 depend from Claim 16, and thus are believed to be allowable due to their dependency.

Since it contains similar features, Claim 29 is patentable over Muka in view of Briner. Claim 31 depends from Claim 29, and thus is believed to be allowable due to its dependency.

Claims 9, 11-15, 24-28, 30, and 32-34 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Muka in view of Briner, and further in view of Mastroianni, U.S. 6,068,668 (hereinafter "Mastroianni"). Applicant respectfully traverses the rejections.

Muka fails to teach or suggest the elements "a movable stage positioned in the low cleanliness room for mounting a container in such a manner that the entire container remains in the low cleanliness room; and a unifying means for unifying the cover of the container and the door in the low cleanliness room", as recited in Claim 9 for at least the reasons given for Claim 16.

The apparatus of Mastroianni is SMIF type (See Col. 1 of Mastroianni). Col. 3, lines 1-2 of Mastroianni teach that the interior portions of the apparatus are expected to be at least one thousand time cleaner than the fab environment. Col. 3, lines 38-41 of Mastroianni also teach that after the carrier 38 has been placed on the shuttle 28, ..., the shuttle 28 is retracted back into the apparatus 20. Therefore, Mastroianni fails to teach or suggest the element "a movable stage positioned in the low cleanliness room for mounting a container in such a manner that the entire container remains in the low cleanliness room", as recited in Claim 9. Also, Mastroianni fails to teach or suggest the element "a unifying means for unifying the cover of the container and the door in the low cleanliness room", as stated in Claim 9.

As stated above, Briner fails to teach or suggest the elements "a movable stage positioned in the low cleanliness room for mounting a container in such a manner that the entire container remains in the low cleanliness room; and a unifying means for unifying the cover of the container and the door in the low cleanliness room", as stated in Claim 9. Therefore, even if Muka, Briner, and Mastroianni are combined, the combined invention does not render Claim 9 obvious because it fails to teach or suggest all elements of Claim 9.

Since it contains similar features, Claims 24, 29, 32 are patentable over Muka in view of Briner, and further in view of Mastroianni for at least the reasons given for Claim 9, respectively. Claims 11-15 and 32-33 depend from Claim 9, Claims 25-28 depend from Claim 24, and Claim 30 depends from Claim 29. These dependent claims are believed to be allowable due to their dependency.

Conclusion

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorney would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicant's attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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